

## QUESTION\ANSWER SHEET SIDEWALK REPAIR



Dear Property Owner:

Sidewalks are an integral part of the transportation system for the City of West Des Moines, allowing walking and jogging that is safely separated from vehicular traffic. Without sidewalks, the intermingling of foot traffic and vehicular traffic would greatly increase the chances for serious injuries to both pedestrians and motorists.

If the City determines work is needed on your sidewalk you will receive a letter and survey form, with more specifics referenced on the City Standards sheet. You may complete the sidewalk work on your own and are encouraged to do so. The City has a list of other sidewalks needing repair in your area in case you would want to join with your neighbors to complete your repair work, or jointly retain a contractor to do the work. The following questions and answers should help you understand the program; however, please contact Public Works at 222-3475, if you have any additional questions.

**“Why, and how, is this being done?”** The City has a Sidewalk Improvement Program for several reasons with the most paramount being the safety of individuals walking in our community. In 1991 the City began this program with a staff member walking a different section of our community every year, reviewing the need for, and condition of, both public and private sidewalks.

**“What is required?”** The Sidewalk Repair Survey Form and City Standards for Defective Sidewalks sheet accompanying your notification letter show the work required, the location, and specific reason for repair. Please contact Public Works if you need assistance interpreting the work required on the sidewalk.

**“Why must I pay for it?”** The State Code of Iowa (Chapter 364.12 and 364.13) and West Des Moines City Code places the responsibility for repair and maintenance of sidewalks on each property owner. More important, however, is the fact that courts have held property owners responsible for injuries when people have fallen on defective sidewalks.

**“Why am I receiving two (2) mailings, one certified and one regular mail, for this project?”**

Iowa law requires that notifications of this type be sent by regular mail but, over the years, the City has realized the benefit of having documentation that the proper notifications were provided.

**“When could work start on the project or on my property, in particular?”**

Residents are given a timeframe during the current year’s construction season to complete the work on their own or through a contractor. The City will perform repairs during the following year’s construction season. After the Public Hearing, and if the City Council formally approves this year’s program, the City is then required to obtain bids from contractors to do the work. The selected contractor will then start work on the project with their schedule being determined by a number of factors including the amount of work they may have, the number and location of the properties in our program and, of course, weather. Given the above, and the fact that the City, and the contractors we normally retain, do not want to cause a property owner undue hardship we will do our best to schedule construction around special or unique activities you may have planned over the summer. If you have a particular concern or need, please contact our Public Works Department at 222-3475.

**“How, and when, will I be billed for this work?”**

When the contractor has finished work on the entire project (not just on your property, but all of the properties in this year’s program) the City will send you a notification of the Final Assessed Amount. You can anticipate receiving that invoice during the first quarter following repair of your sidewalk. At that time you have thirty (30) days to decide to pay all, or a portion of, the amount due. If you pay the full amount the transaction is closed and nothing will appear on your future property tax records. If the amount is for \$500 or more, you may prefer to have the special assessment(s) paid in ten (10) equal annual installments plus interest on the unpaid balance. To utilize this option you do not need to do anything; the County Treasurer will include the amount due on your future property tax statements. The property owner retains the right to pay the remaining principal at any time.

**“What interest rate would be charged?”**

All of the City’s annual Sidewalk Improvement Programs, to date, have reflected a nine percent (9%) interest rate.

**“Who is responsible for repairing my damaged irrigation system?”** Any irrigation system (lines or heads) that are in

the public right-of-way are susceptible to damage and are the responsibility of the homeowner to repair. These lines are not approved by the City to be in the public right-of-way and are not part of the utility Iowa One Call System. Often they are in direct conflict with the necessary work.

**“What happens if I sell my property either before or after I receive the final bill for this project?”**

If you sell your property before the final bill is received it will be up to you and the buyer to determine the best method of handling the estimated amount due. If your property is sold after the final bill is received (and you decided to pay nothing on the amount due) it will again be up to you and the buyer to determine the best method of handling what remains to be paid.

**“Do I need a permit to do this work?”** Yes, the permit is available at the Department of Public Works, 560 South 16th Street. The permit process notifies the City when the work is to be performed, by whom, and allows for inspection prior to pouring concrete for your protection. **The permit fees have been waived for this program.**

**“Are there advantages to getting my own Contractor?”** There may be, especially if the Contractor is doing other work in the area.

**“May I use sack Crete or mix my own concrete for sidewalk replacement?”** No. All concrete used for sidewalk replacement must be a commercially produced IDOT Type C mix design.

**“May I use caulking or sealant to repair cracks (Type D)?”** Caulking or sealant is not permitted to repair cracks. Cracked sidewalks must be replaced.

**“May I use patching material to repair spawled areas (Type E)?”** Patching material is allowed for spawled sidewalks if the width of the spalled section does not exceed 2” or there are more than three spalls per panel. The allowed patching material is Vulkem 116, Quikrete 8620 or J-B Weld. These products are available at local home improvement stores. The City’s contractor will **not** perform any patching on sidewalk repairs; repairs will be made by removing and replacing full sidewalk panels.

**“May I mud jack or raise (Type A) or (Type C) repairs?”** Mud jacking is permitted for these repairs unless the area of repair is also cracked (Type D) or spawled (Type E); then it must be replaced. Raised sidewalks must be properly supported with stable suitable fill material. **No grinding of Type A will be permitted.**

**“What is the thickness of the sidewalk supposed to be?”** The sidewalk is to be 4” thick, except through driveways where it is to be 6” thick and separated by 1/2” expansion on all sides but the street side where 1” of expansion is to be used.

**“Will the City remove a street tree that is damaging my sidewalk?”** If the tree that is causing the damage is in the public right-of-way, the City will remove the tree if it is dead or diseased, or trim the necessary tree roots. Please contact us as far in advance as you can, so we can properly schedule the work.

**“Who will take care of the sod?”** If the contractor has to grade or reshape the area where the repair is made, they will install sod. They are required to water the new area until the sod is established which is typically two weeks. All watering and maintenance beyond that is the responsibility of the property owner.

**Water Stop Defect:** These defects are due to your water stop valve protruding above the walking surface causing a “tripper”, possibly a missing cap for the valve or an area of concrete missing around the valve resulting in a void in the surface of the sidewalk.

**For additional questions or information,** please call Public Works at 222-3475, or visit our facility at 560 South 16th Street. You will also find information on our City’s website at:  
[www.wdm.iowa.gov](http://www.wdm.iowa.gov) | Your Government | Public Works | Right-Of-Way | Sidewalks.

We know that you take pride in your property and want to preserve its value. Sidewalk maintenance is important to both appearance and value, and may save a pedestrian from injury and you from a potential lawsuit.